

Message Text

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ORIGIN MC-02

INFO OCT-01 NEA-10 ISO-00 PM-04 DODE-00 EB-07 NRC-05

NSAE-00 USIA-06 TRSE-00 ERDA-05 CIAE-00 COME-00 ACDA-07

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R 272351Z SEP 76

FM SECSTATE WASHDC

TO AMEMBASSY JIDDA

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E.O. 11652: GDS

TAGS: MILI, SA, US

SUBJECT: ARMS AND WEAPONS SYSTEMS SALESMEN IN SAUDI ARABI

REF : JIDDA 6172

1. DEPARTMENT IS NOT GENERALLY CONSULTED WHEN FIRMS WISH TO SEND SALES PERSONNEL ABROAD. FURTHER, AMERICAN SALESMEN TRAVELING ABROAD IN SEARCH OF SALES OF ARTICLES ON U.S. MUNITIONS LIST ARE NOT REQUIRED TO OBTAIN DEPARTMENT PERMISSION UNLESS THERE IS INVOLVED AN EXPORT OF HARDWARE OR TECHNICAL DATA WHICH WOULD REQUIRE LICENSING AS DESCRIBED IN INTERNATIONAL TRAFFIC IN ARMS REGULATIONS (ITAR). (SEE 10 FAM 750 APPENDIX A).

2. IN CASES WHERE AMERICAN FIRMS APPLY FOR EXPORT LICENSE TO DEMONSTRATE EQUIPMENT OR TECHNICAL DATA, DEPARTMENT REQUIRES EVIDENCE THAT FOREIGN END-USER HAS ALREADY

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EXPRESSED INTEREST IN ARTICLE TO BE DEMONSTRATED. ONE

REASON IS TO PREVENT USE OF OUR LICENSING PROGRAM FOR "FISHING" PURPOSES. APPROVAL SUCH LICENSES NORMALLY NOT GRANTED UNLESS USG PREPARED TO SELL END ITEM INVOLVED.

3. DEPARTMENT AND DOD HAVE BEEN CONSULTING ON PROBLEM OF SALES PERSONNEL CREATING BY THEIR PRESENCE ABROAD NEEDS WHERE NONE EXIST, AS YOU POINT OUT. SAME QUESTION WAS RAISED IN IGA INSPECTION REPORT "MUNITIONS CONTROL US FIRMS' COMPLIANCE WITH EXPORT LICENSING REQUIREMENTS" DATED JULY 28, COPIES OF WHICH WERE SENT TO EMBASSY AND MAAG. WE ARE NOW EXPLORING POSSIBILITIES OF TIGHTENING WAYS CONTROL OVER INFORMATION DISCUSSED BY SALESMEN; AMONG THEM ARE TO REDEFINE ITAR DESCRIPTION OF TECHNICAL DATA, AND REVIEW KINDS OF INFORMATION NOW EXEMPT FROM LICENSING.

4. IN MAY, OFFICE OF MUNITIONS CONTROL SENT ROUTINE NEWSLETTER TO ALL CORPORATIONS AND FIRMS REGISTERED WITH US (SEE ITAR PART 122) CONTAINING FOLLOWING: "AS YOU ALL KNOW, TECHNICAL DATA IS DEFINED IN THE ITAR AND REQUIRES AN MC LICENSE FOR EXPORT. THIS INCLUDES DISCUSSIONS WITH FOREIGN REPRESENTATIVES HERE OR ABROAD. ON THE OTHER HAND, EXPORT OF INFORMATION SUCH AS CORPORATE CAPABILITIES, PUBLIC HANDOUTS, ETC., DOES NOT REQUIRE LICENSING BY THIS OFFICE. REGARDLESS OF WHICH TYPE OF INFORMATION YOU PLAN TO DISCUSS OVERSEA, IT IS ALWAYS USEFUL TO FIRST TOUCH BASE WITH THE LOCAL MAAG OR AMERICAN EMBASSY REPRESENTATIVES. THEY CAN HELP YOU IN MANY WAYS. PLEASE ADVISE THEM WHETHER OR NOT YOU HAVE A LICENSE TO DISCUSS TECHNICAL DATA REGARDING THE PROJECT YOU PLAN TO DISCUSS WITH HOST NATIONALS AND, IF NOT, LET THEM KNOW HOW YOU EXPECT TO HANDLE THE MATTER. THERE IS NO MANDATORY REQUIREMENT FOR THIS "BASE-TOUCHING" BUT I CAN ASSURE YOU THAT IT IS IN THE BEST INTEREST OF EVERYONE. NEGLECTING TO DO SO OFTEN RAISES QUESTIONS REGARDING PRESENCE, ACTIVITIES AND INTENTIONS. SUCH QUESTIONS SHOULD NOT ARISE IF THIS ELEMENTARY STEP IS TAKEN BEFORE DISCUSSIONS WITH HOST AUTHORITIES."

5. WE ARE ENCOURAGING ALL FIRMS TO COMPLY. COMPLIANCE LIMITED OFFICIAL USE

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WE FEEL, SHOULD BE HELPFUL TO YOU, ESPECIALLY IF, AS YOU SAY, FIRMS, IN MOST CASES, RESPECT YOUR GUIDANCE AND JUDGMENT. FURTHER, WE ARE PROVIDING EMBASSY WITH COPIES OF LICENSE APPLICATIONS RECEIVED AND LICENSES ISSUED, ON SELECTIVE BASIS, FOR SENSITIVE TECHNICAL DATA RELEASES AND SUBSTANTIVE HARDWARE RELEASES.

6. DEPARTMENT WILL, OF COURSE, INFORM YOU OF SALESMEN

TRAVELLING IN YOUR AREA IF WE LEARN OF THEIR PLANS BE-
FOREHAND. KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: BUSINESSMEN, POLICIES, MILITARY SALES, EXPORT LICENSES
Control Number: n/a
Copy: SINGLE
Draft Date: 27 SEP 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ShawDG
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE240227
Document Source: CORE
Document Unique ID: 00
Drafter: BAFEMMINELLA:RMH
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760365-0177
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760915/aaaaamqj.tel
Line Count: 117
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN MC
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 JIDDA 6172
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 23 JUN 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <23 JUN 2004 by ElyME>; APPROVED <04 NOV 2004 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: ARMS AND WEAPONS SYSTEMS SALESMEN IN SAUDI ARABI
TAGS: MILI, MASS, SA, US
To: JIDDA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006